

1 GREGORY P. STONE (State Bar No. 78329)
gregory.stone@mto.com
2 BRADLEY S. PHILLIPS (State Bar No. 85263)
brad.phillips@mto.com
3 STEVEN M. PERRY (State Bar No. 106154)
steven.perry@mto.com
4 BETHANY W. KRISTOVICH (State Bar No. 241891)
bethany.kristovich@mto.com
5 MUNGER, TOLLES & OLSON LLP
6 355 South Grand Avenue, 35th Floor
Los Angeles, California 90071-1560
7 Telephone: (213) 683-9100
Facsimile: (213) 687-3702

8 Attorneys for Defendant Intel Corporation
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11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN JOSE DIVISION**
14

15 IN RE: HIGH-TECH EMPLOYEE
16 ANTITRUST LITIGATION

Master Docket No. 11-CV-2509-LHK

17 THIS DOCUMENT RELATES TO:

18 ALL ACTIONS
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**DECLARATION OF TODD
CHRISTENSEN IN SUPPORT OF
DEFENDANTS' JOINT
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL**

1 I, Todd Christensen, hereby declare and say:

2 1. I am a Legal Manager for the PC Client Group at Intel Corporation. I have
3 personal knowledge of the matters stated in this declaration, except those matters identified
4 below as being based on information and belief. I make this declaration in support of
5 Defendants' Joint Administrative Motion to File Under Seal that is being filed
6 concurrently with this declaration. If called and sworn as a witness, I could and would
7 competently testify to the matters stated below.

8 **The Intel Confidential Information that Should Be Sealed**

9 2. I have reviewed portions of Exhibit 148 to the Declaration of Dean M.
10 Harvey in Support of Plaintiffs' Opposition Brief Re Dkts 554, 556, 557, 559, 560, 561,
11 564, and 570 (Dkt. No. 607-1). I am informed and believe that Harvey Declaration Exhibit
12 148 is a compilation of a white paper and supporting documents provided by Intel
13 Corporation to the United States Department of Justice on January 25, 2010. Exhibit 148
14 includes a supporting Exhibit 17, which is a Quarterly Business Review for Intel and Dell
15 Computer Company (the "Quarterly Business Review"). The Quarterly Business Review
16 contains confidential and commercially sensitive Intel information regarding Intel's
17 collaborations and business relationship with Dell. I am informed and believe that Exhibit
18 148, including the Quarterly Business Review, was produced by Intel and designated
19 "CONFIDENTIAL – ATTORNEY'S EYES ONLY" pursuant to the protective order in
20 this Action (Dkt. 107).

21 3. Through my experience working at Intel, I am familiar with the type of
22 information reflected in the Quarterly Business Review.

23 **The Reasons for Sealing the Redacted Information**

24 4. The Quarterly Business Review described below contains information
25 reflecting confidential business practices and other confidential information regarding
26 Intel's business relationship with Dell. This information gives Intel a competitive
27 advantage in the marketplace and would cause competitive harm to Intel if the information
28 were disclosed.

1 5. Intel derives independent economic value from the strategic and/or
2 confidential information contained in the Quarterly Business Review not being known to
3 the public or to the persons who can obtain economic value from its disclosure or use.

4 6. Specifically, the Quarterly Business Review provides a detailed review of
5 Intel's business relationship, including collaborations, with Dell. The document contains
6 extensive discussion of the individuals involved with the collaborative efforts, marketing
7 activities and analysis, business forecasts, and strategic planning.

8 7. Intel's practice is to treat specific information regarding its relationship with
9 its business partners, such as the Quarterly Business Review, as confidential and not to
10 disclose that information outside of the company. I am informed and believe that Intel has
11 taken reasonable steps to ensure that these documents remain confidential, including
12 designating them "ATTORNEY'S EYES ONLY" pursuant to the protective order filed in
13 this Action.

14 *The Particularized Harm Disclosure Would Cause*

15 8. Intel would suffer particularized harm if the Quarterly Business Review were
16 disclosed to the public. Disclosure of this information would reveal Intel's confidential
17 business practices and detailed information regarding its business relationship with Dell.
18 Collaborations and business partnerships are a critical component of Intel's business, and
19 public disclosure of the details of Intel's business relationship with Dell would give other
20 companies with which Intel competes an unearned advantage by providing them with
21 access to Intel's product development, marketing, and forecasting strategies. It would also
22 provide details of the types of things that Intel collaborates with Dell on to other Intel
23 customers and third parties. The Quarterly Business Review contains detailed descriptions
24 of technical aspects of Intel's collaborations with Dell and the related products, as well as
25 Intel's sensitive marketing analysis and strategic planning associated with those efforts.
26 Disclosure of this information would deprive Intel of its investment in developing those
27 partnerships and related business strategies, which Intel uses to compete in the
28 marketplace.

Executed this 21st day of February, 2014 at Portland, Oregon.

TODD CHRISTENSEN

ATTESTATION

I, John Mittelbach, hereby attest, pursuant to N.D. Cal. Local Rule 5.1, that I have on file the original signature corresponding with the conformed signature (/s/) of Todd Christensen indicated on the e-filed Declaration of Todd Christensen in Support of Defendants' Joint Administrative Motion to File Under Seal

DATED: February 21, 2014

/s/ John Mittelbach

JOHN MITTELBACH